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HP LASERJET 3200

P. 2

U.S. PATENT APPLICATION
Attorney Docket No. 143.LKMP:113-US

Applicant(s): Wilkie, Geoffrey D.M.
Application No.: 10/763,559
Filing Date: January 23, 2004

Examiner: Ajay Vasudeva
Group Art Unit: 3617
Confirmation No. 2455

For: PROPELLER WITH VARIABLE GEOMETRY AND METHOD FOR
VARYING GEOMETRY OF A PROPELLER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I certify that this Request for Refund is being facsimile
transmitted to the United States Patent and Trademark Office in
accordance with 37 CFR §1.8 to Facsimile Number (571)273-6500
on June 14, 2006.

[Signature]
C. Paul Miniszewski, Reg. No. 51,990

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

This is a Request for Refund of an erroneous charge which appears on our March 2006 Deposit Account Statement (No. 500822) for the above-identified U.S. Patent Application. More specifically, there is a charge on March 15, 2006 (Sequence No. 1), in the amount of \$1,020.00 for Fee Code 1253 (Extension For Response Within Third Month - Large Entity).

The sequence of events that lead-up to the charge are as follows: On December 20, 2005 Attorney for Applicant filed an Amendment and Request for Reconsideration After Final, then subsequently received a call from Examiner Ajay Vasudeva on January 17, 2006 advising that the Request for Reconsideration After Final was a "non-compliant

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Attorney Docket No. 143.LKMP:113US
U.S. Patent Application No. 10/763,559
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response." One of the options that the Examiner set forth was to respond to the Request for Reconsideration After Final was to amend the claims per the allowed claims. Attorney for Applicant subsequently agreed to the proposed Examiner's Amendment during the interview conducted on February 13, 2006 and the Examiner said that he would prepare an Examiner's Amendment and Notice of Allowance, and therefore Attorney for Applicant did not need to respond, but rather wait for the receipt of an Examiner's Amendment and Notice of Allowance.

When the Attorney for Applicant did not receive any correspondence from the Examiner as the Statutory Bar Date of March 21, 2006 was approaching, Attorney for Applicant filed an Amendment on March 3, 2006 to avoid missing the SBD in accordance with the Advisory Action Before the filing of An Appeal Brief dated February 1, 2006. Attorney for Applicant contacted the Examiner as the SBD date became closer and was advised that the Examiner had previously signed and sent an Examiner's Amendment and Notice of Allowance on February 20, 2006. However, it was discovered that the Examiner's Amendment and Notice of Allowance was "lost" in the mail room at the U.S. Patent and Trademark Office. The Examiner then emailed a copy of the Examiner's Amendment and Notice of Allowance to Attorney for Applicant on March 21, 2006, and the original was received via regular mail on March 22, 2006.

Attorney Docket No. 143.LKMP:113US
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In the interim, our Deposit Account No. 500822 was charged \$1,020.00 for a Three Month Extension of Time which fee would not have been necessary had the U.S. Patent and Trademark Office timely mailed the Examiner's Amendment and Notice of Allowance. Therefore, in view of this inadvertent error on the part of the Patent Office, it is respectfully requested that the fee of \$1,020.00 for a Three Month Extension of Time, be credited back to Deposit Account No. 500822.

Dated: June 14, 2006

Respectfully yours,



C. Paul Maliszewski
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To: Office of Finance, Mail Stop 16
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Fax #: 571-273-6500

From: C. Paul Maliszewski

Date: June 14, 2006

Attorney


Docket No.: 143.LKMP:113US

Your Ref: U.S. Patent Application No. 10/763,559

Pages: 4 (including cover sheet)

Message:

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C. Paul Maliszewski
Reg. No. 51,990

cc: Elaine L. Schwartz

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